

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

IN RE:	)	Chapter 11
	)	
Brown's Chicken & Pasta, Inc.,	)	
Debtor	)	Case No. 09-49094
	)	Judge: Jacqueline P. Cox
	)	

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that on Tuesday, January 5<sup>th</sup>, 2009, at the hour of 9:30 a.m., I shall appear before the Honorable Jacqueline Cox, or any judge sitting in her stead, in Courtroom 619 of the United States Courthouse, 219 S. Dearborn Street, Chicago, Illinois and then and there present MOTION FOR ORDER AUTHORIZING CONTINUATION OF CUSTOMER PROGRAMS AND PAYMENT OF CERTAIN PRE-PETITION CLAIMS IN THE ORDINARY COURSE OF BUSINESS, which is attached.

Respectfully submitted,

By: /s/ Richard N. Golding  
Attorney for the Debtor

Richard N. Golding, Esq. (ARDC# 0992100)  
Jonathan D. Golding, Esq. (ARDC# 6299876)  
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STATE OF ILLINOIS       )  
                                      )  
COUNTY OF COOK       )

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that he caused a copy of the attached MOTION FOR ORDER AUTHORIZING CONTINUATION OF CUSTOMER PROGRAMS AND PAYMENT OF CERTAIN PRE-PETITION CLAIMS IN THE ORDINARY COURSE OF BUSINESS with attached proposed order to be filed with the Clerk of the U. S. Bankruptcy

Court, Northern District of Illinois, using the CM/ECF filing system on this 30<sup>th</sup> day of December, 2009 and by mailing postage pre-paid with the U. S. Post Office at 500 N. Dearborn Street, Chicago, IL 60654 to:

Absolute Vision Productions  
1785 W. Cortland Court  
Addison, IL 60101

J. Kennefick Consulting, Inc.  
27 Briarwood Lane  
Indianhead Park, IL 60525

American Express  
2965 W. CORPORATE LAKES BLVD  
Weston, FL 33331-3626

Mt. Prospect Plaza LLC  
c/o New Plan MP Mgmt. Co., Inc.  
420 Lexington Ave., 7th Flr.  
New York, NY 10170

ANDREAS VLAHOS  
1107 JONATHAN DR  
INVERNESS, IL 60010

REINHART FOODSERVICE, LLC.  
251 CENTRAL AVENUE  
UNIVERSITY PARK, IL 60466

BONNIE L. KENNEFICK  
50 W. LESLIE LANE  
Villa Park, IL 60181

SCHMIDT, SALZMAN & MORAN, LTD.  
111 WEST WASHINGTON SUITE 1300  
Chicago, IL 60602

CATALYST CONSTRUCTION GROUP  
2514 W. ARMITAGE SUITE 208  
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STEVE ERBY  
6455 S. ARTESIAN  
Chicago, IL 60629

Cook County Treasurer  
118 N. Clark St., Suite 112  
Chicago, IL 60602

Thomas Kennefick  
50 W. Leslie Lane  
Villa Park, IL 60181

DIVINCENZO SCHOENFIELD  
SWARTZMAN  
33 NORTH LASALLE  
29TH FLOOR  
CHICAGO, IL 60602

Valassis Direct Mail, Inc.  
One Targeting Centre  
Windsor, CT 06095

GONNELLA BAKING CO.  
2758 EAGLE WAY  
Chicago, IL 60678-1027

VALPAK OF CHICAGO SOUTH  
5101 W. 159TH ST.  
Oak Forest, IL 60452

Illinois Department of Revenue  
Retailers Occupation Tax  
Springfield, IL 62796

WISHING WELL PLAZA C/O Z.  
BRODKIN  
1515 ASTOR ST.,#25-C  
Chicago, IL 60610

By: /s/ Richard N. Golding

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	)	Judge: Jacqueline P. Cox
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**MOTION FOR ORDER AUTHORIZING CONTINUATION OF CUSTOMER  
PROGRAMS AND PAYMENT OF CERTAIN PRE-PETITION CLAIMS IN THE  
ORDINARY COURSE OF BUSINESS**

NOW COMES Brown's Chicken & Pasta, Inc., Debtor herein, through its attorneys The Golding Law Offices, P.C., Richard N. Golding and Jonathan D. Golding, and pursuant to 11 U.S.C. § 1108 and 11 U.S.C. § 507(a)(7) moves this court for an order authorizing continuation of customer programs and payment of certain pre-petition claims in the ordinary course of business, and in support thereof states as follows:

1. This Court has jurisdiction over this Motion pursuant to 28 U.S.C. §1334 and Local Rule 4.3.1 of the Rules of the U.S. District Court for the Northern District of Illinois and 11 U.S.C. §362.
2. This matter is a core proceeding within the meaning of 28 U.S.C. §157(b)(2)(G). Venue for this proceeding is proper in this District pursuant to 28 U.S.C. §§1408 and 1409.
3. Authority for such authorization derives from 11 U.S.C. § 1108 and 11 U.S.C. § 507(a)(7).
4. Debtor would like to continue its customer practices because they have been successful business strategies in the past, responsible for generating valuable goodwill, repeat business, and net revenue increases. Debtor believes that maintaining these benefits throughout these bankruptcy cases is essential to the continued vitality of their business – and ultimately, to their

prospects for a successful reorganization. Debtor believes, however, that the pall cast by the bankruptcy could negatively influence customer attitudes and behavior towards Debtor's products and services. In particular, Debtor's goodwill and ongoing business relationships may erode if their customers perceive that the Debtor is unwilling or unable to fulfill pre-petition promises made through the customer practices. The same would be true if customers perceive that the Debtor will no longer be offering the full package of services or quality of services preferred by customers. Debtor therefore requests the authority to honor all such obligations related to the customer practices – including, but not limited to, honoring gift certificates issued pre-petition.

WHEREFORE, Brown's Chicken & Pasta, Inc., debtor herein, hereby prays that it be granted an order authorizing continuation of customer programs and payment of certain pre-petition claims in the ordinary course of business, effective from the date of the filing of the petition, and whatever other relief as this court shall deem necessary.

Respectfully submitted,

By: /s/ Richard N. Golding  
Attorney for the Debtor

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Jonathan D. Golding, Esq. (ARDC# 6299876)  
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